

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:22-cv-00149-MR**

DASHA CLARK NORMAN,)	
)	
Plaintiff,)	
)	
vs.)	
)	
WAYNE BROWN, et al.,)	<u>ORDER</u>
)	
Defendants.)	
_____)	

THIS MATTER is before the Court sua sponte.

The pro se Plaintiff, who is incarcerated in the North Carolina Department of Public Safety (NCDPS) at the Mountain View Correctional Institution, filed this civil rights action pursuant to 42 U.S.C. § 1983. The Amended Complaint passed initial review against Shannon Case, a Transylvania County Detention Center (TCDC) correctional sergeant, and Hope Hollingsworth, a TCDC kitchen officer supervisor. [Doc. 11]. The Court mistakenly ordered the Clerk to commence the procedure for service waiver with NCDPS for these Defendants, and the Request for Waiver of Service therefore will be stricken. [Doc. 12]. The Plaintiff's Response to Notice (NCPLS) will also be stricken, as the Standing Order in Misc. Case

No. 3:19-mc-00060-FDW applies only to prisoner civil rights actions against NCDPS employees. [Doc. 15].

The Plaintiff shall fill out and return summons forms for service of process on Defendants Case and Hollingsworth within fourteen (14) days of this Order pursuant to Fed. R. Civ. P. 4. Once the Court receives the completed summons forms, the Clerk shall then direct the USMS to effectuate service on Defendants Case and Hollingsworth. Failure to timely comply with this Order will result in the dismissal of this action without prejudice and without further notice.


IT IS, THEREFORE, ORDERED that:

1. The Plaintiff shall fill out and return summons forms for service of process on Defendants Case and Hollingsworth, within **fourteen (14) days** of this Order. Failure to timely comply with this Order will result in the dismissal of this action without prejudice and without further notice.
2. Once the Court receives the completed summons forms, the Clerk shall then direct the USMS to effectuate service on Defendants Case and Hollingsworth.
3. The Request for Waiver of Service [Doc. 12] and Plaintiff's Response to Notice (NCPLS) [Doc. 15] are **STRICKEN**.

The Clerk is respectfully instructed to mail the Plaintiff two blank summons forms and a copy of this Order, and to deliver an electronic copy of this Order to NCDPS.

IT IS SO ORDERED.

Signed: November 21, 2022



Martin Reidinger
Chief United States District Judge

